

REMARKS

Applicants request reconsideration and allowance of the present application in view of the remarks below.

Claims 24-40 are pending in the present application including independent claims 24, 25 and 40. Claim 24 was previously withdrawn from consideration and claim 38 is cancelled herewith.

In the Office Action, claims 25-39 were rejected under 35 U.S.C. § 112, first paragraph. Without commenting on the propriety of the rejection, independent claim 25 has been amended herewith and it is respectfully requested that the rejection be withdrawn.

Claims 25-35 and 37, including independent claim 25, were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent 6,899,752 (Sekioka et al.) in view of U.S. Patent 5,698,284 (Kubota et al.) and further in view of JP 07-073511A (Uematsu) as well as over Sekioka et al. in view of Kubota, further in view of U.S. Patent 6,472,026 (Maag et al.) and further in view of Uematsu. In addition, claims 38-40, including independent claim 40, were rejected under 35 U.S.C. § 103(a) as being unpatentable over Sekioka et al., Kubota et al., Uematsu or over Sekioka et al., Kubota et al., Maag et al., Uematsu, and further in view of (Ishikawa et al.) as applied above, and further in view of U.S. Patent 5,282,917 (Danelski).

Without commenting on the propriety of these rejections, independent claim 25 has been amended herewith to require applying an ink to the outer surface of the first layer, or the outer surface of the second layer, or to both, so as to form an image.

Similarly, independent claim 40 requires applying an image ink to the outer surface of the second layer to produce an image. Applicants respectfully submit that the cited references, either alone or in any proper combination, fail to teach or suggest such limitations.

For instance, Sekioka et al. describes an ink composition that is not visible to the naked eye and that is used to create a so-called latent image. Such ink composition is formed, in part, with a curing resin composition that forms a protective film over the hidden image. Col. 2, lines 61-65; Col. 8, lines 5-10. Importantly, the protective film “must be hard and tough, water-resistant, fouling resistant and scratch resistant, and capable of...permitting reliable discrimination of the latent image.” Col. 8, lines 5-10. In other words, the purpose of the protective film is to prevent anything from concealing the ink composition. Such a film teaches away from the presently pending claims in that the claims now require applying an ink to an outer surface of the claimed first or second layer. The description of Sekioka et al. expressly teaches away from such a modification in that an ink composition is already present underneath the protective film and used to form a latent image. Furthermore, the description makes it clear that the protective film is designed to prevent obstructions from blocking the covered ink composition. As such, it is respectfully submitted that the claims patentably define over Sekioka et al. in any proper combination.

For example, in the previous Office Action, Sekioka et al. was combined with Danielski in an attempt to render obvious then pending dependent claim 38, the limitation from which the amendment to claim 25 was made. The Office Action stated that because “Danielski teaches that game tickets or cards are generally provided with

visible image by lithographically printing with UV curable ink...in addition to concealed images...it would have been obvious to one of ordinary skill in the art at the time the invention was made to have printed a visible image on a second layer." Page 11, July 29, 2009 Office Action. However, as stated above, Sekioka et al. teaches away from applying an ink to the outer surface of the product described therein. Furthermore, Danielski only describes printing onto a removable film to expose a concealed image. As described in Danielski, "[r]emoval of the film from the inked surface portion also removes the ink in one of the selected patterns to reveal a desired pattern of deinked outer surface and thereby render visible the previously concealed message." In other words, the ink is only present on the outer surface because the outer surface is removable to reveal a concealed message. Such a configuration is the complete opposite of the configuration described in Sekioka et al. As such, it is respectfully submitted that the presently pending claims patentably define over the cited references.

Dependent claims 26-39 were also rejected under 35 U.S.C. § 103(a) as being unpatentable over a variety of references. However, for at least the reasons discussed above with respect to independent claim 25, it is respectfully submitted that the presently pending dependent claims patentably define over the cited references, either alone or in any proper combination.

For instance, dependent claim 39 requires a water-based ink. As discussed above, Sekioka et al. plainly states that the protective film described therein "must be hard and tough, water-resistant, fouling resistant and scratch resistant, and capable of...permitting reliable discrimination of the latent image." Col. 8, lines 5-10 (emphasis

added). As such, there can be no question that dependent claim 39 patentably defines over Sekioka et al. in any proper combination.

In summary, Applicants respectfully submit that the present claims patentably define over all of the prior art of record for at least the reasons set forth above. As such, it is believed that the present application is in complete condition for allowance and favorable action, therefore, is respectfully requested. Examiner Lightfoot is invited and encouraged to telephone the undersigned, however, should any issues remain after consideration of this Amendment.

Please charge any additional fees required by this Amendment to Deposit Account No. 04-1403.

Respectfully submitted,

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Date

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